

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION**

JANICE HARGROVE WARREN

PLAINTIFF

v.

No. 4:19-cv-00655-BSM

CHARLES MCNULTY, et al.

DEFENDANTS

**MOTION FOR LEAVE TO FILE SUPPLEMENTAL BRIEF IN SUPPORT OF
DEFENDANTS' MOTION FOR SUMMARY JUDGMENT ON
REMAINING CLAIMS – BREACH OF CONTRACT**

Defendants, by their attorneys, Bequette, Billingsley & Kees, P.A., for their Motion for Leave to File Supplemental Brief in Support of Defendants' Motion for Summary Judgment on Remaining Claims – Breach of Contract, allege and state:

1. The Motion for Summary Judgment deadline in this case was July 20, 2020, as outlined in the Final Scheduling Order. *See* Dkt. No. 10.
2. By order of the Court, the motion deadline was extended to August 12, 2020. *See* Dkt. No. 22.
3. Defendants timely filed their Motion for Summary Judgment and Brief in Support on all of Plaintiff's claims. *See* Dkt. Nos. 27-29.
4. Plaintiff, with leave from the Court, filed her First Amended Complaint on August 20, 2020, adding a common law breach of contract claim. *See* Dkt. No. 31, ¶¶ 75-86.
5. Defendants could not have moved to dismiss Plaintiff's breach of contract claim prior to the dispositive motion.
6. Defendants now seek leave to file their Supplemental Brief in Support of their Motion for Summary Judgment to include the breach of contract recently filed by Plaintiff.

7. Attached hereto is a copy of the proposed Supplemental Brief in Support of Motion for Summary Judgment on Remaining Claims – Breach of Contract.

WHEREFORE, Defendants respectfully pray that this Court grant their Motion for Leave to File Supplemental Brief in Support of their Motion for Summary Judgment on Remaining Claims – Breach of Contract; and for all other just and proper relief to which Defendants may be entitled.

Respectfully submitted,

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